REMARKS

The Office Action dated September 28, 2006 has been received and carefully noted. The above amendments to the claims and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 21, 26, and 35-40 are amended to more particularly point out and distinctly claim the subject matter of the present invention. Entry of the amendments is respectfully requested because the amendments do not raise any issues that require further search and/or consideration, they place the application into better condition for allowance and/or appeal, and they do not contain new matter. Claims 1-46 are respectfully submitted for consideration.

The Office Action rejected claims 1-20 under 35 U.S.C. 102(e) as being anticipated by US Patent Publication No. 2003/0078031 to Masuda (Masuda). Applicants respectfully submit that Masuda fails to disclose or suggest all of the features recited in any of the pending claims.

Claim 1, from which claims 2-20 depend, is directed to a communications system. At least one user device is configured to access a plurality of services in a session. A first entity including an information store is configured to store information defining an amount of money for the at least one user device. A controller, separate to the first entity and the user device, is configured to request that in the first entity, a portion of the amount of money be reserved at the first entity, as a reserved portion and to control an

allocation of the reserved portion between the plurality of services. The allocation is controlled after the request is made.

Applicants respectfully submit that each of the pending claims recite features that are neither disclosed nor suggested in Masuda.

Masuda is directed to a communication system. Masuda describes a technique for allocating a pre-paid balance between a plurality of services such as a voice service and a packet communication service, where a prepayment control device both stores the pre-paid balance and allocates portions of the balance to the plurality of services.

Applicants respectfully submit that Masuda fails to disclose or suggest at least the feature of a controller, separate to said first entity and said user device configured to request that in the first entity, a portion of said amount of money be reserved at the first entity, as a reserved portion and to control an allocation of said reserved portion between said plurality of services, as recited in claim 1. The Office Action asserted that this feature is taught in Masuda in paragraphs [0059] – [0062]. The cited portion of Masuda, however, merely states that "for example, if the amount usable for prepaid services is 1000 Yen, the user transmits in advance registration information that 400 Yen and 600 Yen, should be allowed to the voice and packet services." However, Masuda is merely describing that "1000 Yen" is an example of what the user balance may be, and that the instruction from the user terminal device 10 to the prepayment control device 20 is simply an instruction to use the ratio 40:60 to allocate whatever the user balance might be between voice and packet services. Applicants submit that this is not analogous to a

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request for reservation of at least a portion of the user balance for allocation between a plurality of services. In other words, Masuda does not disclose reserving a portion of the 1000 Yen in the prepayment control device, but instead merely at best describes an allocation ratio for the voice and packet services. A portion of this 1000 Yen is not held in reserve in the repayment control device. In the "Response to Arguments" section, the Office Action asserted that in Masuda, "the user transmits in advance registration information that Yen.400 and Yen.600 should be located to the voice and packet services respectively (a controller 13, separate to said first entity 20, configured to request that in the first entity, at least a portion of said amount of money be reserved at the first entity, as a reserved portion and for controlling an allocation of said reserved portion between said plurality of services)". However, as discussed above, Masuda is silent with regards to the portion of the amount of money being reserved at the first entity.

Further, Applicants respectfully submit that Masuda fails to disclose or suggest the feature of a portion of the amount of money is reserved at the first entity, as recited in claim 20. As discussed above, Masuda is silent with regards to reserving a portion of the amount of money as a reserved portion.

Applicants respectfully submit that because claims 2-20 depend from claim 1, these claims are allowable at least for the same reasons as claim 1, as well as for the additional features recited in these dependent claims.

Based at least on the above, Applicants respectfully submit that Masuda fails to disclose or suggest all of the features recited in claims 1-20. Accordingly, withdrawal of the rejection under 35 U.S.C. 102(e) of clams 1-20 is respectfully requested.

The Office Action rejected claims 21-29 and 31-46 under 35 U.S.C. 103(a) as being obvious over Masuda, in view of US Patent Publication No. 2004/0077332 to Ephraim et al. (Ephraim). The Office Action took the position that Masuda disclosed all of the features of these claims except for the feature of a first entity that is configured to send to the controller, information defining an amount of the reserved portion in a first form other than a monetary amount, and the controller arranged to convert information relating to said amount of said reserved portion to a second form as a monetary amount. The Office Action asserted that Ephraim disclosed these features. Applicants respectfully submit that the cited references, taken individually or in combination, fail to disclose or suggest all of the features recited in any of the pending claims.

Claim 21, from which claims 22-34 depend, is directed to a communications system. At least one user device is configured to access a plurality of services simultaneously. A first entity is configured to store information defining an amount of money for the at least one user device. A controller is configured to request reservation of a portion of the amount of money as a reserved portion, and to control an allocation of the reserved portion between the plurality of services. The first entity is configured to send to the controller, information defining an amount of the reserved portion in a first

form other than a monetary amount, and the controller is arranged to convert information relating to the amount of the reserved portion to a second form as a monetary amount.

Claim 35 is directed to a communications method. A plurality of services in a session is accessed. Information is stored at a first entity, defining an amount of money for at least one user device. A request is sent to the first entity from a controller separate from the first entity and the user device, for a portion of the amount of money to be reserved as a reserved portion at the first entity. The controller controls an allocation of the reserved portion between the plurality of services after the requesting to the first entity.

Claim 36 is directed to a controller for use in a communications system. At least one user device is configured to access a plurality of services in a session. An information store is configured to store information at a first entity defining an amount of money for the at least one user device, the controller being separate from first entity. The controller is configured to request to the first entity, a portion of the amount of money to be reserved at the first entity as a reserved portion and to control an allocation of the reserved portion between the plurality of services, wherein the allocation is controlled after the request to the first entity.

Claim 37 is directed to a communications method. A plurality of services are simultaneously accessed. Information defining an amount of money for at least one user device is stored. A reservation is requested of a portion of the amount of money as a reserved portion. A controller receives information defining an amount for allocating to

the reserved portion between the plurality of services. The information defines an amount of the reserved portion in a first form other than a monetary amount. Information relating to the amount of the portion is converted to a second form as a monetary amount, and then is then allocated the reserved portion between the plurality of services.

Claim 38 is directed to a controller for use in a communications system. At least one user device is configured to access a plurality of services simultaneously. A first entity is configured to store information defining an amount of money for the at least one user device. The controller is configured to request a reservation of a portion of the amount of money as a reserved portion, to convert information defining an amount of the reserved portion in a first form other than a monetary amount received from the first entity to a second form as a monetary amount, and to then control an allocation of the reserved portion between the plurality of services.

Claim 39 is directed to a communications system. An accessing accesses a plurality of services in a session. At a first entity, information defining an amount of money for at least one user device is stored in a storing means. A requesting means separate from the first entity and the user device, requests to the first entity a portion of the amount of money to be reserved at the first entity as a reserved portion. A controlling means separate from the first entity, controls an allocation of the reserved portion between the plurality of services after making the request.

Claim 40, from which claims 41-46 depend, is directed to a communications system. An accessing means simultaneously accesses a plurality of services. A storing

means stores information defining an amount of money for at least one user device. A requesting means requests a reservation of a portion of said amount of money as a reserved portion. A sending means sends information defining an amount of the reserved portion in a first form other than as a monetary amount. A control means converts information relating to the amount of the portion to a second form as a monetary amount, and controlling an allocation of the reserved portion between the plurality of services.

Applicants respectfully submit that the cited references fail to disclose or suggest all of the features recited in any of the pending claims.

Masuda is discussed above. Ephraim is directed to providing prepaid data transfer services to a subscriber through a communication device, such as a wireless or wireline device. The communication device is connected to a data network for transferring data from a data source, such as the Internet. A prepaid system monitors the data network in order to determine whether a particular requested data transfer should be authorized or continued, for example according to the prepaid amount available in the account of the system.

Applicants respectfully submit that the cited references fail to disclose or suggest at least the feature of the first entity is configured to send to said controller information defining an amount of said reserved portion in a first form other than a monetary amount, and said controller is arranged to convert information relating to said amount of said reserved portion to a second form as a monetary amount, as recited in claim 21 and similarly recited in claims 35-40. The Office Action relied on Masuda to disclose these

features.   However, paragraphs [0055], [0056] and [0060] to [0062], and Figure 1 of Masuda discloses that there is no transfer of information from prepaid service providing means 23 to prepayment control means 22. Thus, Applicants respectfully submit that Masuda and Ephraim, fail to disclose or suggest a prepaid service providing means 23 making a request to prepayment control means 22 to reserve a portion of the user balance. The only disclosure in Masuda relating to prepaid service providing means 23 is that it "provides the prepaid services".

Applicants further submit that the cited references fail to disclose or suggest at least the feature of a portion of the amount of money be reserved as a reserved portion at the first entity, as recited in claim 21 and similarly recited in claims 35-40. As stated above, the cited references are silent with regards to reserving a portion of the amount of money at the first entity.

Still further, Applicants respectfully submit that there is a lack of motivation to combine the teachings of Masuda with the teachings of Ephraim because the proposed modification would change the principle of operation of the references. If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

In the present case, Ephraim teaches using tokens (instead of monetary amounts) at a data monitor to provide a measure of the extent to which a service has been used by a

user, and to then convert such tokens into a monetary amount at a separate server which is provided with information about one or more characteristics of the subscriber. The motivation for using tokens is that the data monitor does not need to be provided with information regarding characteristics of the subscriber (see paragraphs [0012] and [0039] of Ephraim). The Office Action asserts that it would have been obvious for one skilled in the art to have modified the technique of Masuda on the basis of the teaching of Ephraim by sending balance information from prepayment control means 22 to prepaid service providing means 23 in a non-monetary form and to convert it into a monetary form at prepaid service providing means 23. However, Applicants respectfully submit that such a modification of Masuda would be against the teaching of Ephraim, in the sense that prepaid service providing means 23 can be considered to correspond to the data monitor of Ephraim and that to convert user balance information into a monetary form at the prepaid service providing means 23 would go against the teaching of Ephraim of not using monetary forms at the data monitor of Ephraim. Thus, one skilled in the art would not be motivated to combine the teachings of Masuda with the teachings of Ephraim.

Applicants respectfully submit that because claims 22-29, 31-34 and 41-46 depend from claims 21 and 40, these claims are allowable at least for the same reasons as claims 21 and 40, as well as for the additional features recited in these dependent claims.

Based at least on the above, Applicants respectfully submit that the cited references taken individually or in combination, fail to disclose or suggest all of the

features recited in claims 21-29 and 31-46. Accordingly, withdrawal of the rejection of claims 21-29 and 31-46 under 35 U.S.C. 103(a) is respectfully requested.

The Office Action rejected claim 30 under 35 U.S.C. §103(a) as being obvious over Masuda and Ephraim, in further view of US Pub. No. 2003/0037176 to Dannehr et al. (Dannehr). The Office Action took the position that Masuda and Ephraim disclosed all of the features of claim 30 except the feature of a first entity that operates in accordance with a CAMEL protocol. The Office Action asserted that Dannehr disclosed this feature. Applicants respectfully submit that the cited references taken individually or in combination fail to disclose or suggest all of the features recited in claim 30. Specifically, because claim 30 depends from claim 21, Masuda and Ephraim are deficient at least for the same reasons stated above regarding claim 21, and Dannehr fails to cure these deficiencies.

Masuda and Ephraim are discussed above. Dannehr is directed to message transmission between telecommunications network elements that are involved in Multimedia Service (MMS). Dannehr fails to mention, disclose or suggest at least the feature of requesting at a controller separate from the first entity, at least a portion of the amount of money to be reserved as a reserved portion. Therefore, Dannehr fails to cure the deficiencies of Masuda.
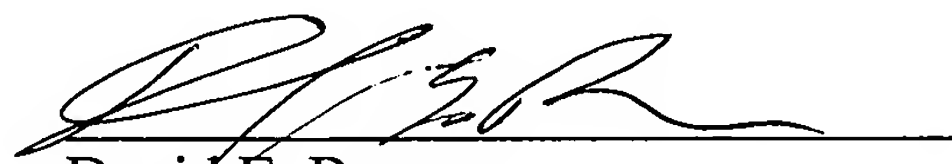
Based at least on the above, Applicants submit that the cited references fail to disclose or suggest all of the features recited in claim 30. Accordingly, withdrawal of the rejection of claim 30 under 35 U.S.C. §103(a) is respectfully requested.

Applicants respectfully submit that each of claims 1-46 recite features that are neither disclosed nor suggested in any of the cited references. Accordingly, Applicants respectfully request that each of claims 1-46 be allowed and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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